

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT

SEP 10 PM 3:19

C. Robinson
CLERK
S.D. OF GA.

DOUGLAS ASPHALT COMPANY,
JOEL H. SPIVEY and KYLE SPIVEY,

Plaintiffs,

v.

APPLIED TECHNICAL SERVICES,
INC.,

Defendant.

CIVIL ACTION NO.: CV206-229

ORDER

Plaintiffs filed an untimely Motion for Sanctions (Doc. No. 228) asserting that Defendant has not produced all of the handbooks and manuals previously requested during discovery. Plaintiffs seek an Order from the Court striking the Defendant's answer. Defendant has filed a Response, and Plaintiffs have filed a Supplemental Brief in Support of their motion. After review, Plaintiffs' Motion for Sanctions is **DENIED** because it was not timely filed and for the reasons set forth by Defendant in its Response.

SO ORDERED, this 10th day of September, 2009.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE